

Local Rules of Orphans' Court

Rule 1.3. Definitions

“Publication.” *The Beaver County Legal Journal* shall be the legal periodical for the publication of notices whenever publication in a legal periodical is required by Act of Assembly, the Pennsylvania Orphans' Court Rules or by Order or Decree of Court.

Rule 5.16. Settlement of Small Estates

Form of Petitions. Contents. Petitions Under Probate, Estates and Fiduciaries Code § 3102 for distribution of small estates shall set forth:

1. The name and address of the petitioner and his/her relationship to the decedent.
2. The name, date of death and domicile of the decedent, whether he/she died testate or intestate, the dates of the probate of the Will and of the Grant of Letters, if any, and whether the personal representative has been required to give bond, and in what amount.
3. The names and relationships of all beneficiaries entitled to any part of the estate under the Will or intestate laws, a brief description of their respective interests, whether any of them has received or retained any property of the decedent by payment of wages under Probate, Estates and Fiduciaries Code § 3102, or otherwise, and whether any of them are minors, incapacitated persons or deceased, with the names of their fiduciaries, if any.
4. The person or persons, if any, entitled to the family exemption and, if a claim therefor is made in this petition, any additional facts necessary to establish the prima facie right thereto, as required by Pennsylvania Orphans' Court Rule 5.2.
5. An inventory of the real and personal estate of the decedent, with values ascribed to each item, either incorporated in the petition or attached as an exhibit.
6. A list showing the nature, amount and preference of all unpaid claims against the estate and indicating which are admitted.
7. If any unpaid beneficiary, heir or claimant has not joined in the petition, a statement that twenty (20) days' notice of intention to present the petition has been given in accordance with these rules.
8. A prayer for distribution of the personal property to those entitled, and in appropriate cases, for the discharge of the personal representative.

Exhibits. There shall be attached to the petition the following exhibits:

1. The original of the Decedent's Will if it has not been probated, or a copy of the Will if it has been probated.
2. Joinders of unpaid beneficiaries, heirs and claimants insofar as they are obtainable.
3. An itemized list of disbursements made prior to the filing of the petition, indicating the payee and whether the disbursements were in payment of administration expenses, preferred or ordinary debts, item of distribution or the family exemption.
4. Certificate of Register of Wills showing status of the inheritance tax.

Appraisements. No appraisal shall be required unless ordered by the Court.

Rule 9.1. Notice of Hearings

Auditors and Masters shall provide notice of hearings to be held by them to all interested parties, or to their counsel of record, in writing, at least thirty (30) days prior to the scheduled hearing.

Rule 9.6. Notice of Filing Report

Auditors and Masters shall provide a copy of the report filed with the Orphans' Court to all interested parties, or to their counsel of record, simultaneously with filing of the report with the Court.

Rule 9.7. Confirmation of Report

Interested parties shall have the right to file objections to an Auditor's or Master's report within twenty (20) days following filing of the report with the Court. If objections are filed, the Court will schedule argument on the matters at issue. If no objections are filed to the report within the required twenty (20) day period or following argument before the Court, the Court may enter an appropriate Decree to confirm the Auditor's report or adopting the Master's report, in full, or as modified following argument.

Rule 15.1. [Untitled]

The Judges of this Court (the 36th Judicial District), who are, from time to time, assigned by the President Judge to preside over dependency proceedings, are also assigned to preside over proceedings relating to Involuntary Termination of Parental Rights of a parent of any dependent child having been adjudicated by that Judge, as well as any proceedings relating to the Adoption of that dependent child.